

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Resolution designating a Brownfield/Seminole Economic Enhancement District (SEED) area for unincorporated areas of Seminole County within the US 17-92 Community Redevelopment Agency (CRA)

DEPARTMENT: Economic Development

DIVISION: Operations

AUTHORIZED BY: William McDermott

CONTACT: John Metsopoulos

EXT: 7133

MOTION/RECOMMENDATION:

1. Adopt a resolution designating unincorporated areas of Seminole County within the US 17-92 Community Redevelopment Agency (CRA), a Brownfield/SEED (Seminole Economic Enhancement District) Area for the purpose of environmental rehabilitation and economic development; or
2. Deny a resolution designating unincorporated areas of Seminole County within the US 17-92 Community Redevelopment Agency (CRA), a Brownfield/SEED (Seminole Economic Enhancement District) Area for the purpose of environmental rehabilitation and economic development; or
3. Continue the item to a time and date certain.

District 2 Michael McLean
District 4 Carlton D. Henley
District 5 Brenda Carey

John Metsopoulos

BACKGROUND:

Brownfield/SEED Area designations are governed by the criteria within Florida Statutes (F.S.) Section 376.80. In accordance with F.S. 376.80, a Brownfield/SEED area designation must be sought from the local government with jurisdiction over the site. State Law provides further criteria that the local government must consider in its decision to designate a Brownfield/SEED area. These criteria are addressed below, as well as in the attached resolution.

In accordance with Florida Statutes 376.80(2)(a) only one hearing is required when the site is within a designated CRA.

1. A Brownfield/SEED area designation provides the property owners within the US 17-92 CRA access to numerous opportunities for financial assistance from the State's Brownfield/SEED Redevelopment Program to rehabilitate the area.
2. The Brownfield/SEED area depicted in Exhibit A is determined to warrant economic development and has a reasonable potential for such activities through rehabilitation and job creation.
3. The Brownfield/SEED area depicted in Exhibit A is focused to a limited geographic

area corresponding to the US 17-92 CRA.

4. The rehabilitation and economic development of the Brownfield/SEED area depicted in Exhibit A is deemed to have sufficient private sector interest in rehabilitating the area.
5. The redevelopment of the proposed Brownfield/SEED area is consistent with the Seminole County Comprehensive Plan and is permissible under the County's land development code.
6. Proper notice of the proposed Brownfield/SEED area has been provided to neighbors and nearby residents and has been published in the newspaper.

STAFF RECOMMENDATION:

Staff recommends that the Board adopt a resolution designating unincorporated areas of Seminole County within the US 17-92 Community Redevelopment Agency (CRA), a Brownfield/SEED (Seminole Economic Enhancement District) Area for the purpose of environmental rehabilitation and economic development.

ATTACHMENTS:

1. Resolution
2. Location Map
3. RPA Board Minutes

Additionally Reviewed By:

☐ County Attorney Review (Ann Colby)

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, MAKING FINDINGS; DESIGNATING THE UNINCORPORATED LANDS WITHIN THE US 17-92 COMMUNITY REDEVELOPMENT AREA (CRA) AS A BROWNFIELD/SEMINOLE ECONOMIC ENHANCEMENT DISTRICT (SEED) AREA FOR THE PURPOSE OF ENVIRONMENTAL REHABILITATION AND ECONOMIC DEVELOPMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida has provided in Sections 376.77 - 376.85, Florida Statutes for the designation by resolution, at the request of the county, of one or more parcels as a "Brownfield Area", and for the corresponding provision of environmental rehabilitation and economic development; and

WHEREAS, The Board of County Commissioners has requested designation as a Brownfield Area within unincorporated lands of the US 17-92 lands depicted in Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, the Board of County Commissioners of Seminole County has reviewed the requirements for Brownfield Area designation, as specified in Florida Statutes Sections 376.80(2)(a) and 376.80(2)(b), and has determined that the proposed area qualifies for designation as a Brownfield Area because the following requirements of Florida Statutes Sections 376.80(2)(a) and 376.80(2)(b) have been met:

1. The Brownfield Area depicted in Exhibit A is determined to warrant economic development and has a reasonable potential for such activities through rehabilitation and job creation.
2. The Brownfield Area depicted in Exhibit A is focused to a limited geographic area corresponding to the US 17-92 CRA.
3. The rehabilitation and economic development of the Brownfield Area depicted in Exhibit A is deemed to have sufficient private sector interest in rehabilitating the area.
4. The rehabilitation and redevelopment of the Brownfield Area will result in economic production in the area.
5. The redevelopment of the proposed Brownfield Area is consistent with the Seminole County Comprehensive Plan and is a permissible use under the County's land development code.
6. Proper notice of the proposed designation of the Brownfield Area has been provided to neighbors and nearby residents and published in the newspaper, and those receiving notice will be given the opportunity to provide comments and suggestions about the resolution and;

WHEREAS, Seminole County wishes to notify the Florida Department of Environmental Protection of this designation of Brownfield Area to facilitate environmental rehabilitation and economic development of such area consistent with Florida Statutes Sections 376.77-376.85; and

WHEREAS, the procedures set forth in Subsections 376.80(1) and 376.80(2)(a), Florida Statutes, have been followed, and proper notice has been provided in accord with Section 376.80 and Subsection 125.66(4)(b)(2), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The area depicted on Exhibit A, attached hereto and incorporated herein by reference, is hereby designated as a Brownfield Area for environmental rehabilitation and redevelopment purposes per Sections 376.77 through 376.85, Florida Statutes.

Section 2. The County shall notify the Florida Department of Environmental Protection, pursuant to Section 376.80, Florida Statutes, of this Brownfield Area designation.

Section 3. The lands depicted in Exhibit "A", attached hereto and incorporated herein by reference, is hereby designated as a Brownfield Area for environmental remediation, rehabilitation and economic development in accordance with the intent of the Brownfield Redevelopment Act. However, such designation shall not render Seminole County liable for costs of site rehabilitation or source removal, as those terms are defined in Section 376.79(17) and 276.79(18), Florida Statutes, or for any other costs, above and beyond those costs attributable to the County's role as administrator of a Brownfield site rehabilitation program.

Section 4. The Brownfield Area designation, depicted on Exhibit A, attached hereto and incorporated herein, shall be referred to as the "Seminole Economic Enhancement District", (S.E.E.D), for the purposes of administering economic development aspects of the Brownfield program.

Section 5. This Resolution shall become effective immediately upon adoption.

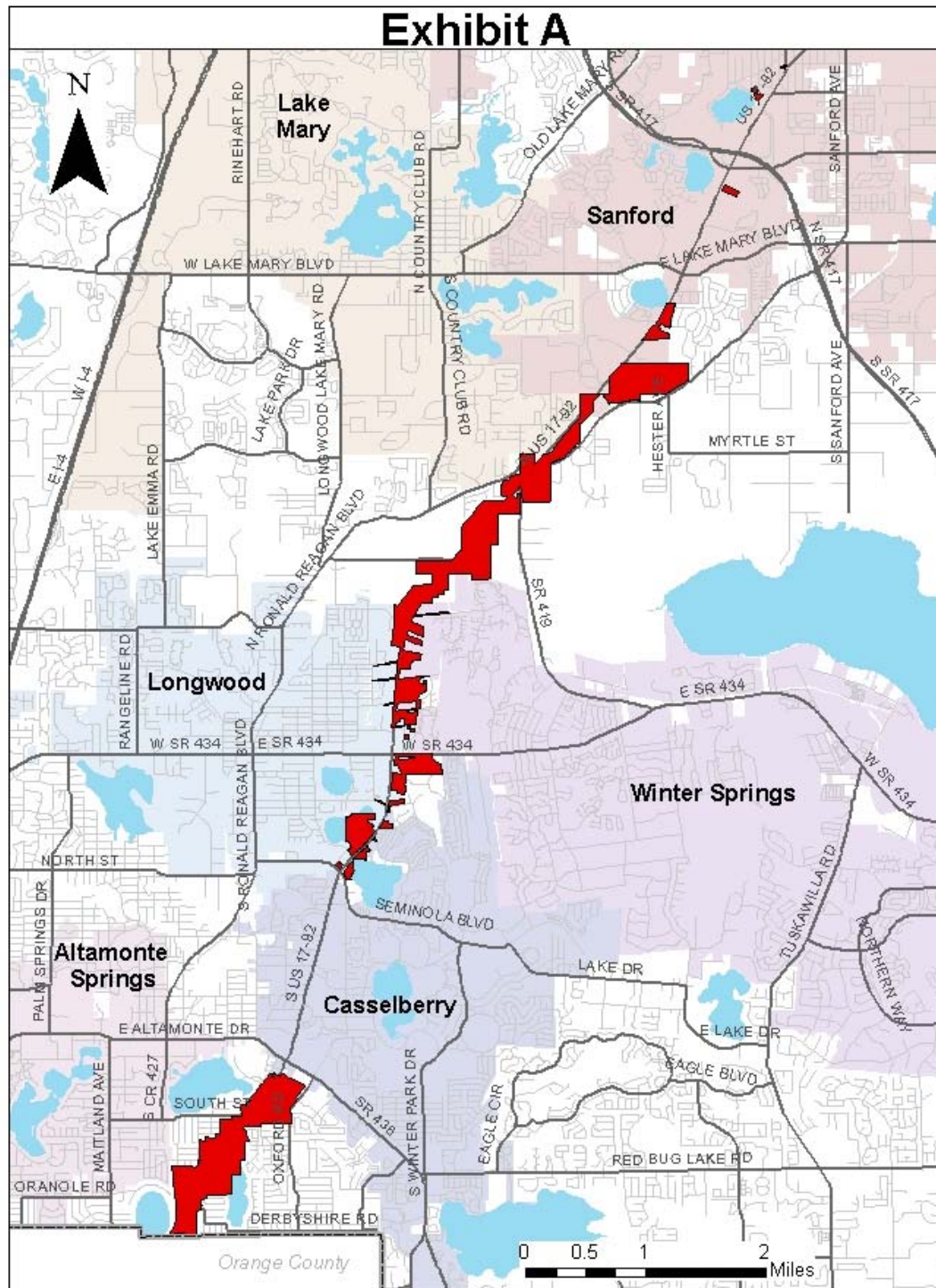
ADOPTED this _____ day of _____ 2008.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
The County Commissioners
of Seminole County, Florida

By: _____
BRENDA CAREY
CHAIRMAN



MINUTES OF THE US 17-92 REDEVELOPMENT PLANNING AGENCY
May 17, 2007
Public Safety Building

PRESENT:

Commissioner Bob Dallari	Seminole County
Commissioner Randy Jones	City of Sanford
Commissioner Susan Doerner	City of Casselberry
Juan Omana	City of Lake Mary
Commissioner Robert Miller	City of Winter Springs
Jerry McCollum	Seminole County
Kevin Fall	Seminole County
William McDermott	Seminole County
John Metsopoulos	Seminole County
Terry Winn	Seminole County
Antonia Gerli	City of Sanford
Shani Beach	Seminole County
Tom Tomerlin	Seminole County
Brooke Bonnett	City of Orlando
Tom Pratt	Bob Dance

Commissioner Dallari called the meeting to order at 8:40am. Commissioner Dallari requested that everyone introduce themselves, introductions were made. First item on the agenda was approval of minutes from last meeting. Commissioner Doerner moved to approve Commissioner Jones seconded the motion and the minutes were approved unanimously.

Commissioner Dallari moved to the next item on the agenda, a vote to peruse the Brownfield designation. Commissioner Dallari skipped that item and moved forward with the introduction of the new CRA Program Manager John Metsopoulos. Bill McDermott introduced Mr. Metsopoulos and provided his background information. Mr. Metsopoulos stated that he is happy to be on board. Commissioner Dallari then moved onto the next item which was a presentation from Brook Bonnet with the City of Orlando on their experience with Brownfields. Ms. Bonnett passed out a map of their Orlando Economic Enhancement District and provided an overview of the program. She explained that under Mayor Hood's leadership the Orlando Economic Development Department pursued a Brownfield designation in their downtown CRA district and have continued under Mayor Dyer's direction. She explained how Orlando has gone through four expansions since beginning the program; beginning with about fifteen properties located very close to city hall. Ms. Bonnett spoke about identifying the program as the Orlando Economic Enhancement District rather than the Brownfield district to avoid the negative condemnation associated with the title Brownfield. Ms. Bonnett stated that the City of Orlando worked with George Houston on the title change and that it was an easy process. She explained the reasons why the Economic Development staff with the City of Orlando pursued the Brownfield designation and how it provided additional resources to property

owners and potential developers. Ms. Bonnett demonstrated on her map the four expansions of the Orlando Economic Enhancement District. Commissioner Doerner asked if the area had to be continuous and the answer was no. Ms. Bonnett explained the process for designating a Brownfield area and explained how property owners in the Orlando Economic Enhancement District are benefiting. She also explained the challenges associated with the program and how the city handled any issues. Ms. Bonnett detailed the four expansions, the reasons for the expansions and the process for excluding properties. Ms. Bonnett stated that the primary focus and reason for the Economic Enhancement District is now job creation and workforce housing. She talked about the lack of workforce and affordable housing in Orlando and how the Brownfield program offers incentives to build workforce housing. Commissioner Dallari asked if Orlando encountered any political opposition to the program and Ms. Bonnett said there was not. Mr. Metsopoulos asked for clarification on the workforce housing incentive and there was some discussion related to the benefits and financial advantages of constructing workforce housing in a Brownfield area. Commissioner Dallari inquired about the definition of what is considered workforce housing in terms of cost. Ms. Bonnett stated that the amount is determined by the state and that Mr. Houston could help with developing a matrix. Mr. Tomerlin asked for clarification on the definition of workforce housing, Ms. Bonnett repeated that the guidelines established by the state. Commissioner Miller inquired about the possibility of designating a percentage of the workforce housing for civil service employees. Ms. Bonnett stated that several of the Orange County Commissioners had made the same inquiry and that their county attorney advised against it. There was some discussion related to different incentives available to employees of different municipalities for housing. Ms. Bonnet recapped the process for declaring a Brownfield site and stated again how helpful Mr. Houston was in the process. She also stated that the process was not very staff intensive. Commissioner Dallari asked if anyone had questions, Mr. Omana inquired if any information was available on line; Ms. Bonnett referred him to the FDEP web site. There was more discussion related to the difficulty of receiving reimbursement from the state. Ms. Bonnett stated that although there is a process to follow she is not aware of anyone having difficulty. Commissioner Dallari thanked Ms. Bonnett for attending. Mr. Mc Dermott then discussed a flyer that staff developed to promote the SEED program. Mr. Mc Dermott passed out the flyer and an action plan for pursuing the Brownfield designation. The first item on the action plan was the flyer, Ms. Beach explained the intent of the flyer and the asked the RPA members to review and discuss changes. The RPA members discussed some recommended changes. It was recommended that Ed staff meet with all of the elected officials as well as city staff located within the CRA. Ms. Beach stated that the ED staff is planning to meet with all of the city administrators as well as elected officials. Commissioner Dallari recapped the action items and asked if the members of the board were ok with the identified items there were no objections. Commissioner Dallari requested a timeline from ED staff, Mr. McDermott agreed and stated that he would like to have everything complete by the end of the year and that staff will have a timeline at the next meeting. Commissioner Dallari asked for a consensus among the RPA members to move forward with the Brownfield designation and it was agreed that ED staff will start moving forward with the identified action items.

Commissioner Dallari then moved to the next item which was a presentation from Tom Tomerlin on mixed land use. Mr. Tomerlin stated that in accordance with the Glatting Jackson plan that was adopted by the CRA, he is moving forward with creating a new land use designation to allow for mixed use projects along 17-92. He discussed the incentives available for workforce housing and the need for building heights. He explained that the dominate land use along 17-92 is currently commercial and that he is working to change that to allow for more residential. Mr. Tomerlin discussed the need for Seminole County as well as the cities along the corridor to make changes to their land use in order to work toward implementing the Glatting Jackson action plans. Mr. Tomerlin discussed the City of Altamonte and their creativity in different land uses to allow for mixed development. Commissioner Doerner asked for clarification on where the land use changes would occur and if they would encompass the entire corridor. Commissioner Doerner expressed concerns related to county owned parcels increasing height next to city owned parcels that did not. Commissioner Jones spoke about how the City of Sanford dealt with that issue by creating transition areas. Mr. Tomerlin then discussed the creation of a working group comprised of county and city staff to designate the land use changes. Commissioner Doerner expressed concerns related to workforce housing in Casselberry, she stated that Casselberry has quite a bit of workforce housing and is more interested in pursuing higher end development. Mr. Tomerlin stated that the purpose of the land use change is not specific to workforce housing and that each city would have the option of additional incentives for workforce housing if they choose. Commissioner Dallari asked Mr. Tomerlin what he would like to see come out of this meeting. Mr. Tomerlin stated that he would like to have a working group established to create the language necessary for the land use change. Commissioner Dallari volunteered for the working group, as did Commissioner Jones and John Omana. It was decided that a working group would be established and any decisions related to land use changes would be brought to the RPA for approval.

Mr. Tom Pratt a representative from Bob Dance Dodge then spoke up about a parcel that Bob Dance Dodge would like to sell. The parcel has been designated wet lands by the Department of Environmental Protection and therefore is not able to be developed. Mr. Pratt stated that Chairman Henley recommend that he approach the RPA for assistance. Mr. Pratt explained that since the expansion of Ronald Regan Blvd. the parcel has been drained and is no longer wet however; DEP is quoting \$420,000.00 an acre to mitigate. Commissioner Dallari asked if he has approached DEP and asked them to re-delineate the wet lands. Mr. Pratt stated that he has been unsuccessful in dealing with DEP and that Chairman Henley had suggested he contact the RPA for assistance. Commissioner Dallari explained the role of the RPA and asked Mr. Pratt what type of assistance he is looking for. Mr. Pratt indicated that he would like support from the RPA in getting DEP to reconsider the wetlands designation. Mr. Omana stated that the RPA has no jurisdiction over DEP. Commissioner Dallari asked Mr. McDermott if he has any suggestions. Mr. McDermott stated that while he understands Mr. Pratt's frustration there is nothing that our office can do. Commissioner Dallari suggested that Mr. Pratt ask Chairman Henley to contact someone at St. John's River Water Management for assistance. Commissioner Dallari suggested that Mr. Pratt have his engineering firm look into the re-delineation of the wetlands. Mr. Pratt then inquired about the possibility of getting the parcel declared a

Brownfield. Commissioner Dallari stated that he should contact Mr. Metsopoulos for assistance and in the future work with ED staff if he would like to be on the agenda for RPA meetings.

Commissioner Dallari moved on to the next item on the agenda item which was the application form. Ms. Beach inquired if the RPA members had looked it over and asked if they had any changes or questions related to the application. Ms. Beach assured the members of the board that the application was a tool and will not affect the level of service that the ED staff offers. Ms. Beach also stated that the ED staff has been working in partnership with the Property Appraiser's office to develop a return on investment assessment for potential projects. Commissioner Dallari suggested a numbering system on the application possibly a month or date configuration. Mr. Tomerlin suggested a points system, it was decided that a criteria would have to be established. Commissioner Dallari suggested that staff include that on the work session agenda. Mr. McDermott also mentioned including an extra incentive for green Buildings. The RPA all agreed that that extra incentives for green buildings was a good idea.

Mr. Metsopoulos provided the project update, the old Gino's Italian restaurant has been purchased and the ED staff has been in discussions with the new owner who will be converting it to a Patio Grill. Commissioner Jones stated that the City of Sanford was in the process of having the building demolished so any consideration from the board would be greatly appreciated. Mr. Metsopoulos talked about a meeting he had with Scott Redmon related to his green building coming to Fern Park; Mr. Redmon will be working with ED staff to develop a project proposal centered on the cost of a green building as opposed to a regular building. Commissioner Dallari asked if Mr. Redmon was planning to pursue LEED certification, Mr. Metsopoulos did not know but said that he would find out. Ms. Beach talked about a meeting that the ED staff had with Mr. Scott Wright who purchased the old Heleig Myers Building she stated that Mr. Wright owns several parcels on 17-92 and is interested in partnering with the RPA to redevelop his property. Mr. McDermott mentioned that the old K- Mart is in the process of being demolished. There was some discussion related to the type of Lowes that will be built. Commissioner Doerner stated that she is very unhappy with the basic Lowes that will be constructed and she views it as a missed opportunity. Commissioner Doerner also expressed her frustration with some of the businesses along 17-92 who are not in compliance with their landscaping. Mr. Metsopoulos stated that Ed staff will look into that issue. The RPA also discussed the need for design standards along the corridor.

Commissioner Jones stated that he is working with DOT to add a third lane on 17-92 close to Airport Blvd. he also talked about installing a closed drainage system and landscaping similar to Fern Park to create consistency along the corridor. Commissioner Dallari requested that Commissioner Jones get the information to Mr. Metsopoulos and that he will coordinate with Jerry McCollum and put the item on the agenda for discussion at the next meeting.

There was no further discussion and the meeting was adjourned.